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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

REVENUE DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 18th December, 2023.

REGISTRATION ACT, 1908.

No.GM-2023-299-M-RGN-122023-0647-H.1:- The following rules made by the Inspector General of Registration, State of Gujarat, in exercise of the powers conferred upon him by clause (j) of sub-section (1) of the section 69 of the Registration Act, 1908 (XVI of 1908), having been approved by the Government of Gujarat required under sub-section (2) of section 69 of the aforesaid Act, are hereby published for general information, namely:-

- 1. Short title and commencement.-** (1) These rules may be called the Gujarat Registration (Identity Verification for the Registration of Documents), Rules, 2023.
(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions. - In these rules unless the context otherwise requires, -

- (1) "**Act**" means the Registration Act, 1908 (XVI of 1908);
- (2) "**Aadhaar Number**" means a twelve digit unique identification number generated and issued to an individual by the Unique Identification Authority of India (UIDAI) after de-duplication of demographic and biometric information pertaining to the individual;
- (3) "**Consent based Aadhaar Authentication Service**" means the electronic authentication carried out by the Unique Identification Authority of India (UIDAI) or agencies appointed by it, after matching the biometric information of an individual at his request or with his consent, with the information maintained by UIDAI in its own central servers, and includes a 'Yes/No' response or a response containing the demographic information and photograph of the individual;
- (4) "**UIDAI**" means the Unique Identification Authority of India.

3. Validity of Consent based Aadhaar Authentication Service.- Any person appearing before registering officer for the purpose of clause (b) of sub-section (3) section 34 or being examined in accordance with sub-section (2) of section 35 of the Act may utilize the facility of Consent-based Aadhaar Authentication Service to fulfil requirements of the aforementioned sections of the Act in accordance with these rules.

4. Procedure.- Where the option of using the Consent based Aadhaar Authentication Service is utilized, the following procedure shall be adopted by the registering officer, namely:-

- (a) The explicit consent of such person, either in electronic format or in paper format, for the use of the Consent based Aadhaar Authentication Service shall be obtained;
- (b) Upon granting of consent, the 12 (twelve) digit Aadhaar number, along with the finger print scan or iris scan of the person shall be entered into the UIDAI system through registration software, matching with either finger print or iris of a person shall be sufficient for the purpose of these rules.
- (c) Upon authentication, the UIDAI system shall automatically, return the Consent based Aadhaar Authentication data of the person/user.
- (d) The information generated through Consent based Aadhaar Authentication Service along with the unique transaction code for that authentication shall be printed in the summary reports generated through the Registration Software and the summary report along with the unique transaction code, shall also be stored in the appropriate electronic format.

5. Power of Registering Officer to examine.- Notwithstanding anything contained in these rules,-

- (a) in case of the party appearing for admitting execution, whose identity has been verified through Consent based Aadhaar Authentication Service, the registering officer in order to satisfy himself about the identity of the said party, shall not examine any other persons;
- (b) in any other cases, the registering officer, in order to satisfy himself about the identity of party, may examine persons whose identity has been verified through Consent-based Aadhaar Authentication Service and verify the same from the system of UIDAI.

6. Fulfilment of requirement of Identification of executant.- In accordance with sections 34 and 35 of the Act read with section 4 and 6 of the Information Technology Act, 2000 (XXI of 2000), the information generated through Consent based Aadhaar Authentication Service, the purpose of clause (b) of sub-section (3) of section 34 and sub-section (2) of section 35 shall be deemed to fulfil the requirements of identification of the executant under the said section.3

By order and in the name of the Governor of Gujarat,

PRERAK J. PATEL,

Deputy Secretary to Government.

